

John P. Zaimes (SBN 91933)  
jzaimes@reedsmith.com  
John H. Lien (SBN 222842)  
jlien@reedsmith.com  
**REED SMITH LLP**  
355 South Grand Avenue, Suite 2900  
Los Angeles, CA 90071-1514  
Telephone: +1 213 457 8000  
Facsimile: +1 213 457 8080

## Attorneys for Defendant Vector Marketing Corporation

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ALICIA HARRIS, as an individual and on behalf of all others similarly situated,

## Plaintiffs,

VS.

**VECTOR MARKETING  
CORPORATION, a Pennsylvania  
corporation; and DOES 1 through 20,  
inclusive.**

## Defendants.

No.: CV 08-5198 EMC

**STIPULATION AND [PROPOSED]  
ORDER RE PHONE RECORDS**

1 Plaintiff Alicia Harris (“plaintiff” or “Harris”) and Defendant Vector Marketing  
 2 Corporation (“defendant” or “Vector”) enter into this stipulation with reference to the  
 3 following facts:

4 **RECITALS**

5 A. On or about March 20, 2010, Vector served plaintiff’s mother, Lynette  
 6 Harris (“L. Harris”), with a subpoena to testify at a deposition on April 2, 2010 and  
 7 further requested the production of, among other things, L. Harris’ cell phone and  
 8 landline telephone records for the period of June 28, 2008 through July 31, 2008.

9 B. Due to L. Harris’ representation of unavailability and for the convenience  
 10 of the witness, on April 6, 2010, Vector renoted the deposition of L. Harris to April  
 11 21, 2010 and, accordingly, served, on counsel for L. Harris and plaintiff, a notice of  
 12 deposition and subpoena to testify at a deposition, in addition to document requests  
 13 relating to L. Harris’ cell phone and landline telephone records for the period of June  
 14 28, 2008 through July 31, 2008.

15 C. In lieu of said production of L. Harris’ cell phone and landline telephone  
 16 records at the April 21, 2010 deposition, plaintiff represents that, for purposes of this  
 17 litigation, she will not assert or claim that she utilized L. Harris’ cell phone or landline  
 18 telephone in connection with providing services as a Sales Representative of Vector.

19 **STIPULATION**

20 NOW, THEREFORE, it is hereby stipulated by the parties, through their  
 21 respective counsel of record, as follows:

22 1. In connection with any discovery responses or pleadings served and/or  
 23 filed in this action or any proceeding related to this action, including, but not limited  
 24 to, testimony at trial, oral or written arguments made by counsel, memorandum of  
 25 points and authorities, declarations, affidavits, written discovery responses, or any  
 26 other oral or written representation made by the parties, neither Harris nor Vector will  
 27 elicit or introduce any evidence or represent, assert, or claim that plaintiff used any of

1 L. Harris' cell phones or landline telephones in providing services as a Sales  
2 Representative of Vector.

3 IT IS SO STIPULATED.

4 Dated: April 22, 2010

REED SMITH LLP

5 By \_\_\_\_\_/s/

6 John P. Zaimes  
7 Attorneys for Defendant  
8 VECTOR MARKETING CORPORATION

9 Dated: April 22, 2010

Diversity Law Group

10 By \_\_\_\_\_/s/

11 Larry W. Lee  
12 Attorneys for Plaintiff  
13 ALICIA HARRIS

14  
15  
16 **ORDER**  
17

18 Based on the above stipulation, IT IS SO ORDERED.

19  
20 Dated: \_\_\_\_\_, 2010

4/30

